?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 01.03.2019
*CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
+W.P.(MD)No.936 of 2019

#Pandiyammal
... Petitioner

Vs

$1.The District Collector,
Collectorate Building,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Head Quarters, Paramakudi Taluk,
Ramanathapuram District.

3.Sathesh

4.Alagi ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent vide his proceedings in O.Mu.No.B6/3612/2018 dated 16.04.2018 and consequential impugned order passed by the second respondent vide his proceedings in O.Mu.(P6)11286/2018, dated 29.11.2018 and quash the same as illegal and consequently direct the second respondent to issue the legal heir certificate to the petitioner.

!For Petitioner : Mr.Khan K.S.M.S.Ibrahim
^For R1 & R2 : Mr.M.Karuppasamy
Government Advocate
For R3 & R4 : Mr.P.Balan

:ORDER
Heard the learned counsel on either side.

2. The issue relates to issuance of legal heir certificate following the demise of one Pichai on 06.09.2017. It is not in dispute that the said Pichai had more than one wife. His first marriage was not dissolved in the manner known to law. She is said to have eloped with somebody else. The writ petitioner is the second wife of the said Pichai. The writ petitioner also had earlier contracted another marriage. It appears that even those marriages were not dissolved in the manner known to law. The Commissioner of Revenue Administration, Chennai has issued a circular to the effect that if the deceased is having more than one wife, the claimants should be advised to approach the Civil Court for getting relief. In such a case, the second

respondent cannot be mandated to issue any legal heir certificate.

3. I am therefore unable to grant any relief to the writ petitioner. Accordingly, this Writ Petition stands dismissed. No costs. It is made clear that the the dismissal of this writ petition will not come in the way of the children born to Pichai from moving the Civil Court for getting declaration that they are the legal heirs of the Pichai.

To

1.The District Collector,
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Ramanathapuram.

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